

## REMARKS

This application has been reviewed in light of the Office Action mailed March 10, 2006.

Reconsideration of this application in view of the below remarks is respectfully requested.

Claims 1 – 19 are pending in the application with Claims 1, 12 and 16 being in independent form.

### **I. Rejection of Claims 1 – 19 Under 35 U.S.C. § 102(b)**

Claims 1 – 19 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,565,844 issued to Bedrosian.

Bedrosian discloses a remote sensor including a base and a sensor unit vertically displaced upwardly from the base unit. The relative position of the sensor head and base unit can be fixed, such that the height of the sensor head may be adjusted along a vertical axis. (See: col. 2, lines 18 – 26). However, contrary to the assertions made in the present Office Action, the cited passage in Bedrosian fails to properly disclose all the limitations recited in Applicant's Claims 1, 12 and 16. Specifically, Bedrosian fails to teach transmitting a signal for adjusting the sensitivity of a motion detector, and receiving a remotely generated signal for adjusting the sensitivity of the motion detector.

Bedrosian teaches creating detection blind spots by adjusting the height of the sensor head and positioning masking elements. The masking elements block portions of the sensor so that the sensor is unable to receive signals indicative of motion in those masked regions. Additionally, the sensor head is designed to only detect motion occurring parallel or above the horizontal axis of the sensor head, thus motion occurring below the height of the sensor head is

not detected. Therefore, by adjusting the height of the sensor head a lower blind spot is adjusted as well.

Bedrosian does not indicate any means for adjusting sensitivity of the detector nor of adjusting such a sensitivity by transmission/reception of a sensitivity controlling signal, as provided for in Applicant's Claims 1, 12 and 16.

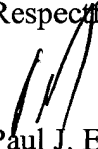
It is well-settled by the Courts that "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Company, et al.*, 730 F.2d 1452, 221 USPQ 481 (Fed. Cir., 1984). Therefore, as demonstrated above, because Bedrosian does not disclose each and every element recited in the present claims, Applicant respectfully submits that the rejection has been traversed. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to independent Claims 1, 12 and 16 under 35 U.S.C. § 102(b) for the reasons given above, and further, withdrawal of the rejection with respect to Claims 2 – 11, 13 – 15 and 17 – 19, which depend from those independent claims.

## CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1 – 19 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,



Paul J. Esatto, Jr.  
Registration No. 30,749

SCULLY, SCOTT, MURPHY & PRESSER, P.C.  
400 Garden City Plaza - Ste. 300  
Garden City, New York 11530  
(516) 742-4343

PJE:DAT:jam